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C O N F I D E N T I A L SECTION 01 OF 02 SANAA 002498

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TAGS: [PGOV](#) [PHUM](#) [YM](#) [DEMOCRATIC REFORM](#) [HUMAN RIGHTS](#)

SUBJECT: YEMEN: OPPOSITION NEWSPAPER CLOSED, EDITOR
SENTENCED TO ONE-YEAR IN PRISON

REF: A. SANAA 507

[B](#). SANAA 2472

Classified By: DCM Nabeel Khoury for reasons 1.4 (b) and (d).

[1](#)1. (U) Summary: On September 6, a Sanaa court closed opposition newspaper as-Shura for six-months and sentenced its editor Abdulkarim al-Khaiwani to one year in prison for violating the 1990 Press Law. This latest incident, in what some are calling a bad year for freedom of the press in Yemen, led opposition journalists to accuse the ROYG of a systematic attempt to rein in the press. End Summary.

[1](#)2. (U) Abdulkarim al-Khaiwani, Editor-in-Chief of opposition newspaper as-Shura, was sentenced to one year in prison and his paper closed for six-months for violating Yemen's Press Law. Following the verdict, he was immediately taken into custody and remains in prison currently, pending appeal (Note: Deputy Foreign Minister Noman told DCM September 21 that he expects Khaiwani will be released within the next few days. End Note). Police and Political Security Organization (PSO) officers surrounded the newspaper's headquarters directly after the ruling, ransacked the offices, and threatened staff members before closing down the newspaper's operations.

[1](#)3. (U) Article 103 of the 1990 Press Law prohibits members of the media from printing, publishing or broadcasting anything which: prejudices the Islamic faith; spreads a spirit of strife among the people; harms national unity; undermines public morals; or criticizes the person of the head of state. By international standards, the law is vague and overly broad, allowing too much room for discretion in its implementation. Khaiwani was found guilty of "supporting the so-called al-Houthi in his rebellion," publishing reports damaging to the public interests, and "public humiliation" of the President.

YEMENI PRESS TESTS ROYG RED LINES

[1](#)4. (U) The Yemeni media are not subject to prior-publication state censorship. The press commonly criticizes the government on a wide range of issues, including calls for economic and democratic reform. Like others in the region, however, Yemeni journalists practice self-censorship and understand the red lines -- such as directly criticizing the President.

[1](#)5. (U) Beginning in March, the ROYG has stepped up its efforts to influence the press. Journalists and human rights activists report harassment by the PSO and by the newly formed National Security Bureau (NSB). Three Sanaa journalists were given prison sentences ranging from three to five months for their articles on corruption and other controversial attacks on the ROYG, and in April Al-Quds correspondent Said Al-Thabet was fined and banned from writing for six months for allegedly investigating an assassination attempt against the President's son. His case is also under appeal (Ref A).

THE YEMENI PRESS FIGHTS BACK

[1](#)6. (U) The opposition and independent press condemned the Khaiwani verdict, calling it a "contravention of democracy." The Yemeni Journalists Syndicate has conducted several sit-ins in Sanaa to focus attention to Khaiwani's plight, and the opposition carried out a one-week publication strike. The Public Forces Union, a small socialist political party, called the verdict "a reflection of the bogus democracy which the government declares and tries to promote abroad."

Saleh's Mixed Messages

[1](#)7. (SBU) In recent speeches, the President warned the press that journalists covering the rebellion in Sa'da may be charged with treason for questioning his actions. In another more bizarre remark, Saleh said he, "knows who is

paying papers," and criticized, "those who hang around the doors of embassies and talk about democracy." Noting those people are the same ones whose "sons and daughters are recruited inside the American Embassy and they are the ones who say 'death to America.'" (Comment: Although the President pledged an end to the detention of journalists in June, ROYG difficulties in ending the Al-Houthi rebellion may have increased his sensitivities to press criticism throughout the summer as the conflict dragged on and casualties mounted. End Comment).

Where is Al-Soswa? Where is the USG?

18. (C) In the midst of these attacks, noticeably absent from the public scene is Yemeni Human Rights Minister Amat al-Aleem al-Soswa. In a meeting with Ambassador on the day of the verdict, she expressed that ROYG actions against the as-Shura newspaper were "not justified." She further revealed that she had contacted the paper and informed them she was willing to attend court hearings with them if they requested (ref B). Al-Soswa, however, has yet to make a public comment.

19. (U) In the weeks since the verdict, local human rights attorneys, journalists, and activists have expressed their disappointment that the U.S. has not made a public statement against the verdict and deterioration of press freedoms in Yemen. One prominent human rights attorney noted that the U.S. "culture of democracy" remains his hope and called for the USG to "live up to its ethical responsibility to help Yemen in its pursuit of press freedoms."

110. (C) Comment: It may be premature to judge whether recent ROYG actions comprise a systematic attempt to roll back press freedoms, or if they are a reaction to press criticisms during a painful and costly military episode -- the ten-week long armed struggle in Sa'da. While the press may be accused of bringing it on themselves by violating some clearly stated provisions of the press code; the ROYG is missing an important chance to demonstrate that it is ready to tolerate a genuinely free press even in difficult times. The press can truly push the envelope by lobbying to legally challenge the constitutionality of the current press code. End Comment.
KRAJESKI